



Entered on Docket
November 20, 2007

A handwritten signature in black ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In re)	BK-06-10725-LBR
)	Chapter 11
USA COMMERCIAL MORTGAGE CO.,)	PRETRIAL
)	Date: March 14, 2008
)	TIME: 1:30 p.m.
)	TRIAL
)	Date: March 27 & 28, 2008
)	Time: 9:30 a.m.
<u>Debtor.</u>)	

**ORDER RE: PRE-TRIAL MATTERS; TRIAL;
AND SETTLEMENT CONFERENCE ON THE OBJECTION TO CLAIM 1366 OF
LOS VALLES LAND & GOLF, LLC**

The parties having filed a discovery plan or a request for waiver in this case, and for good cause appearing,

IT IS HEREBY ORDERED that the provisions checked below are hereby adopted by this court as its order.

☐ The request for waiver is granted and no formal discovery plan is required to be filed.

☒ The discovery plan filed by the parties shall govern the matters set forth therein.

☒ Discovery shall be completed by the date shown in the Standard Discovery Plan.

☐ The scheduling conference set with the issuance of the summons (or the continued scheduling conference) is hereby vacated.

1 ___ The parties shall participate with their clients in a settlement conference in
2 accordance with the Settlement Conference Order (a copy of which will be sent by the court).

3 The court may at a later time, either upon its own motion or at the request of counsel,
4 order a settlement conference.

5 A pre-trial conference will be held on March 14, 2008 at 1:30 p.m.

6 **TRIAL STATEMENTS**

7 ___ No trial statement is required.

8 X Each party shall file a trial statement (or counsel may meet and file a joint trial
9 statement). **Dispositive motions and motions for summary judgment are to be**
10 **filed by January 28, 2008.**

11 ___ The parties shall file a joint trial statement.

12 Trial statements shall contain the information as shown on, and in the form of, Part "A"
13 attached hereto. Trial statements shall be filed on or before fourteen days before the pre-trial
14 conference, or if no pre-trial conference is set fourteen days before trial.

15 Any objections made pursuant to Fed. R. Civ. P. 26(a)(3) shall be made no later than five
16 days after the opposing party files its Trial Statement.

17 **PRETRIAL MOTIONS**

18 Motions in Limine must be filed 14 days prior to the pre-trial conference, or if no pre-
19 trial conference is set, ___ days before trial. Responses are due no later than five days
20 thereafter.

21 **EXHIBITS/WITNESS LISTS**

22 Each party shall lodge and meet with the Courtroom Deputy Clerk not later than the day
23 before the trial the following:

24 (1) The original and 1 copy of all exhibits, bound and tabbed. All exhibits shall
25 be marked with stickers on the lower right corner of the exhibit whenever possible.

26 Log forms may be obtained from the Court's web site at www.nvb.uscourts.gov or from the
27

1 Courtroom Deputy Clerk.

2 All exhibits to which there are no objection shall be admitted by stipulation.
3 Counsel may stipulate to an exhibit on one ground (e.g., foundation) while preserving an
4 objection on another ground (e.g., relevance).

5 (2) List of witnesses with correct spelling of the witnesses' full name.

6 **Counsel must make an appointment with the respective Courtroom Deputy to meet**
7 **with them to lodge the exhibits.**

8 Trial of this matter is set for March 27 & March 28, 2008 at 9:30 a.m. at 300 Las Vegas
9 Blvd. South, Las Vegas, Nevada, before Judge Linda B. Riegle in Courtroom #1, located on the
10 Third Floor.

11 **IT IS SO ORDERED.**

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13
14 Copies sent through ECF to:

15 Rob Charles
16 Scott Fleming
17 Lenard Schwartzer

18 Copies sent through BNC to:

19 Bruce Jacobs
20 Akin Gump Strauss Hauer & Feld, LLP
21 2029 Century Park East, Suite 2400
22 Los Angeles, CA 90067-3012

23 John Hinderaker
24 Lewis & Roca LLP
25 One S Church Ave, Ste 700
26 Tucson, AZ 85701-1611

27 1.

28 and copies sent through BNC to:

PART "A"

(Trial Statements)

The trial statement(s) shall contain the following items:

1. The disclosures required by Fed. R. Civ. P. 26(a)(3), as adopted by Fed. R. Bank. P. 7026 and LR 7026.
2. A concise statement of the nature of the action and contentions of the parties.
3. A statement as to the core or non-core jurisdiction of the Court, with legal citations.
4. Stipulated facts.
5. Contested issues of law with concise memorandum of authority.
6. Log of exhibits which may be offered in evidence, including any exhibits for impeachment or to refresh the memory of a witness.
7. Any special trial issue which requires the Court's attention.
8. The list of witnesses, with their addresses, expected to be called.